

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -AUGUST 1, 2006- -7:30 P.M.

Vice Mayor Gilmore convened the Regular Meeting at 7:35 p.m. Councilmember Matarrese led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers Daysog, deHaan, Gilmore, and Matarrese - 4.

Absent: Mayor Johnson - 1.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(06-386) Library project update.

The Project Manager gave a brief update.

Councilmember Matarrese inquired whether the cost for the re-striping and extension of Times Way would come out of Measure O funds; stated he would like to maximize the money going to the library branches if library construction costs are less than estimated; further inquired whether Public Works money could be used for the re-striping and extension.

The City Manager responded the matter could be reviewed.

Councilmember deHaan stated the impacts on other Public Work projects would need to be considered if Public Work funds are used; inquired whether the \$1.5 million released from the State would be going to library branches.

The Project Manager responded the \$1.5 million would come back to the City; the money already has been accounted for; some miscellaneous expenses are coming from Measure O funds, such as the \$71,000 moving cost; the move cannot be paid with the State grant.

Councilmember deHaan inquired whether the library branch work has been quantified.

The Project Manager responded in the negative; stated \$2 million would not go very far.

Councilmember deHaan inquired whether library branch modifications and upgrades have been spelled out, to which the Project Manager

responded in the negative.

Councilmember deHaan inquired whether the modifications and upgrades were dependent on the City's needs.

The Project Manager responded in the affirmative; stated the former Library Director thought that a second story could be added to the Bay Farm Island branch library; he does not think a second story is possible; costs would go up because an elevator would be needed; a two-thirds square-foot expansion might be possible.

Councilmember deHaan inquired when a modification and upgrade proposal would be brought to Council.

The Project Manager stated he would like to talk to an architect first.

Councilmember Daysog stated the West End library shelving does not allow books to stand upright; inquired whether eligible funds would be available for altering the shelves.

The Project Manager responded that he just started looking at the branch libraries.

Councilmember deHaan stated he would hate to see hand downs going to branch libraries; inquired whether all the old shelving would be utilized in the new library.

The Project Manager responded in the negative; stated all the old shelving in the interim library would be disposed.

Councilmember deHaan stated there is a good chance to reutilize the old shelving.

Councilmember Matarrese requested that the Library Board be directed to start public discussion regarding the branch libraries in order to bring recommendations to Council.

CONSENT CALENDAR

Councilmember deHaan moved approval of the Consent Calendar.

Councilmember Matarrese seconded the motion, which carried by unanimous voice vote - 4. [Absent: Mayor Johnson - 1.]

[Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*06-387) Minutes of the Special and Regular City Council Meetings held on July 18, 2006, and the Special City Council Meetings held on July 20, 2006 and July 26, 2006. Approved.

(*06-388) Ratified bills in the amount of \$8,054,736.54.

(*06-389) Recommendation to adopt Specifications and authorize Call for Bids for the Purchase/Lease of two greens mowers, two reel mowers, one tractor, five electric utility vehicles, one sweeper, and one self powered aerator. Accepted.

(*06-390) Recommendation to amend Agreement with Masayuki Nagase to modify the dates of deliverables for Library Art Work for the New Main Library Project. Accepted.

(*06-391) Introduction of Ordinance Amending the Alameda Municipal Code by Deleting Section 2-63.10, Third Party Claims, and by Adding a New Section 2-65, Disposition of Property Consisting of Sections 2-65.1 through 2-65.5, to Article V, Administrative Policies and Procedures. Introduced.

REGULAR AGENDA ITEMS

(06-392) Public Hearing to consider Introduction of Ordinance Amending the Alameda Municipal Code by Adding Article XVIII Earthquake Hazard Reduction in Existing Wood Frame One and Two Story Residential Structures to Chapter XIII (Building and Housing). Introduced.

The Building Official gave a Power Point presentation.

Councilmember Matarrese inquired whether upgrades would be required for hazardous plumbing, mechanical, electrical, and fire/life safety systems, to which the Building Official responded in the affirmative.

Councilmember Matarrese inquired what was the rationale for a flat fee, to which the Building Official responded a flat fee would provide an incentive to homeowners.

Vice Mayor Gilmore opened the public portion of the hearing.

David Kirwin, Alameda, stated multiple units should be included in the proposed program; he fears that seismic retrofitting would become mandatory; the 88,000 housing units referenced by the Association of Bay Area Governments (ABAG) already have survived more than a 6.9 magnitude earthquake on the Hayward Fault.

There being no further speakers, Vice Mayor Gilmore closed the public portion of the hearing.

The Building Official stated the proposed standards are basic and can be instituted by a homeowner; exempted structures would need an engineer's review; the intent is not to make the program mandatory.

Vice Mayor Gilmore stated the program is geared toward the average, ambitious homeowner who wants to seismically retrofit property without having to hire an engineer or architect to do the work; complex projects would require engineer or architect review and would not be subject to the proposed ordinance.

Councilmember deHaan inquired whether engineering requirements are spelled out for structures in greater need and whether engineering requirements are standardized.

The Building Official responded in the affirmative to both questions; stated some structures, such as Victorians, need to have an architect or engineer review all aspects; a cookie cutter plan does not work for complex structures.

Councilmember deHaan inquired whether fees could be lowered for complex structures; stated lower fees would provide an incentive.

The Building Official responded that fees could be lowered for complex structures.

Councilmember deHaan requested that seismic retrofit permit fees be highlighted when the Master Fee Schedule returns to Council.

Councilmember Matarrese stated the proposed ordinance separates simple projects from complex projects that require engineering and architectural drawings; the proposed ordinance provides a reduced fee and template for homeowners to follow; the proposed ordinance is well written as long as it is not construed as exempting complex projects; concurred with the idea of providing an incentive [for complex projects] through a fee reduction.

Councilmember deHaan stated the proposed ordinance is a major step; the Planning Board was interested in moving in the same direction; Victorians are a concern and are in more jeopardy; he looks forward to providing an incentive to encourage retrofitting.

Councilmember deHaan moved introduction of the ordinance.

Councilmember Matarrese seconded the motion, which carried by unanimous voice vote - 4. [Absent: Mayor Johnson - 1.]

ORAL COMMUNICATIONS, NON-AGENDA

(06-393) Pat Colburn, Alameda; urged banning leaf blowers; outlined problems created by leaf blowers.

(06-394) Susan Battaglia, Alameda, stated leaf blowers should be banned; childhood asthma is traced to airborne particles.

COUNCIL COMMUNICATIONS

(06-395) Discussion of the U.S. Conference of Mayors Climate Protection Agreement. **Continued.**

(06-396) Discussion of Big Box Retail Policies and Regulations.

Councilmember deHaan stated he did not want to review a super center; the Retail Impact Assessment updates are not relevant because the City is not considering 210,000 square foot boxes; he is open to comments.

Judith M. Kissinger encouraged Council to take a careful look at studies that show the pros and cons of having big box retail in a neighborhood.

Dorothy Reid, Alameda, stated she provided information to Council in December; Boston study reported that a big box has a \$468 million negative net revenue gain; a specialty retail provides a net revenue gain of \$326 million; a shopping center has a net loss of \$314 million; local business would give 70% more in net revenue gain than any big box store; local economy is brought down with big box stores.

Ashley Jones, Alameda, stated he asked the Planning Board what would be the use for the 200,000 square-foot space; the Planning Board did not request an answer to the question; only one Planning Board member voted against the proposal; Council needs to ask questions before approval is given.

Gretchen Lipow, Alameda, stated the leakage study recommended small retail stores and noted that big boxes were not needed to contain leakage; she questions the potential traffic and congestion impacts; Planning Board Member Anne Cook seems to have expertise on the matter and voted against the proposal.

David Kirwin, Alameda, stated the report is a travesty to open government; attachments are not available on the web site; he questions the report's relevance to Alameda; studies have addressed

what big box retail does to the Bay Area; City staff needs to be unbiased.

Councilmember deHaan stated he placed the matter on the agenda because discussion needs to go forward now; proposals will be before Council and have already been before the Planning Board; the City is trying to capture off-island sales leakage; many studies have been conducted; the June 7 Alameda Landing study specified that the leakage was not that big and does not constitute a large box format; the drawings show four 225,000 square foot boxes; he would like to start reviewing the opportunity of an ordinance, recommendation, or proposal; control is needed on a level that is manageable for the City; additional entitlements are requested and would be a problem; the studies indicate that big boxes have an economic impact on local business; there are wage and benefit concerns; he would like to have more dialogue on the matter and would like to have the leakage study go back to the Economic Development Commission (EDC) for further discussion to determine what is really needed; he would like to have the matter continued.

Councilmember Matarrese stated the Economic Development Strategic Plan Task Force (EDSP) had the same discussion in 1999; the Strategic Plan states that Alameda does not want to have big box retail; discussion was mainly focused on Walmart, the Home Depot and COSTCO, which are warehouse stores; the Strategic Plan is being updated; concurred with Councilmember deHaan's suggestion; EDC review is a good idea; stated that re-establishing the goals of the Strategic Plan is good after seven years; big boxes should be defined; there are concerns with how employees are treated and the drain on the public health system.

Vice Mayor Gilmore stated a shopping center study was conducted in the last two years; the study addressed the need for anchor stores at shopping centers; several stores on the list could have been anchor tenants but had minimal approval from Alameda residents; the EDC needs to review anchor stores being big box stores; a big box might not be needed to make an Alameda shopping center successful; the two components need to be reviewed together.

Councilmember Matarrese stated the same process should be established for the Strategic Plan; the EDC recommended the Strategic Plan with the output of the process brought to Council; the Transportation Commission was an outcome of the process; traffic patterns need to be reviewed; the Strategic Plan needs to be renewed and brought back.

Councilmember Daysog stated that big box retail discussions need to be part of the conversations involving Alameda's economic vision,

particularly at Alameda Landing; other land uses that focus on generating jobs for young adults should be considered; decisions need to be held on whether the City should focus on big box retail or quality retail that residents want; he would encourage conversation on what the City wants for current and future residents at Alameda Landing; economic opportunities exist other than retail, such as Clif Bar and Rosenblum Winery expansion; the data does not show a strong demand for available, household consumer spending at big box retail; available, household consumer spending is in quality and specialty retail; there are a variety of options; time needs to be allowed to make the right decisions rather than making a wrong decision that the City cannot recover from.

Councilmember deHaan stated the City needs to decide what sacrifices it would be willing to make if discounters need to draw 50% or more in sales from off-island spending; traffic corridors would be impacted; the Southshore anchor tenant was Trader Joes, which is a small grocery store; he would welcome similar stores to the City because good service and revenue are generated; he welcomes more information on the matter.

Vice Mayor Gilmore stated she has heard arguments that big box retail stores would bring in other desired retails, such as Ann Taylor; she would like the EDC to review the accuracy of said arguments.

Councilmember deHaan stated that the June 7 study notes that Ann Taylor Loft, Chicos and Old Navy are willing to come to Alameda Landing without having a stand alone Target; 40% of Walmart and Target customers shop at both stores; discounters have more customer outreach; more congestion would be generated.

The City Manager stated that staff would provide an update on what is the EDSP process.

Councilmember Matarrese stated he wanted to make sure that the process includes the Transportation Commission and the Planning Board.

Councilmember Daysog stated the Alameda Landing process has taken a long time; a decision should be made as soon as possible; revisiting the EDSP would take twelve months; Catellus and ProLogis should be advised now rather than later if Alameda Landing would not work out for the City.

(06-397) Councilmember Matarrese stated he saw an Alameda Landing traffic mitigation report that went from the Transportation

Commission to the Planning Board; one of the Transportation Commission's responsibilities are to make recommendations to Council, not the Planning Board; the Planning Board can weigh in on what the Transportation Commission recommends; Boards and Commissions should feel free to bring items directly to Council; Boards and Commissions could be copied on reports brought to Council.

Councilmember deHaan concurred with Councilmember Matarrese; stated the Transportation Commission had quite a few recommendations and concerns which should come to Council on a different track; similarly, the EDC and Planning Board should come to Council on a different track.

The City Manager stated the intent is to seek input from Boards and Commissions and to bring concerns and recommendations back to Council.

(06-398) Vice Mayor Gilmore stated that tonight's Council meeting could be viewed online through the streaming video process; requested that the Information Technology Director explain the streaming video process.

The Information Technology Director stated streaming video enables people to watch Council meetings live on the internet; tonight's meeting will be uploaded on the City's website at the end of the meeting; agenda items can be viewed individually.

ADJOURNMENT

There being no further business, Vice Mayor Gilmore adjourned the Regular Meeting at 8:40 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.